



WEB COPY

Cr.L.O.P(MD)No.17010 of 2022



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM :

THE HON'BLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Cr.L.O.P(MD).No.17010 of 2022

P.Sekar,

: Petitioner

Vs

The Inspector of Police,
Villoor Police Station,
Madurai District.
Crime No.58 of 2020

: Respondent

Prayer: Criminal Original Petition filed under Section 482 of Cr.P.C, praying, to issue a direction, directing the learned Assistant Sessions Judge, Thirumangalam, to dispose the case in S.C.No.204 of 2021 in Crime No.58 of 2020, on the file of the Respondent Police within the time stipulated by this Court.

For Petitioner : Mr.M.Maran

For Respondent : Mr.R.Siva Kumar
Government Advocate (Crl.Side)



ORDER

WEB COPY This criminal original petition had been filed seeking a direction to the learned Assistant Sessions Judge, Thirumangalam, to dispose of the case in S.C.No.204 of 2021 in Crime No.58 of 2020, on the file of the Respondent Police.

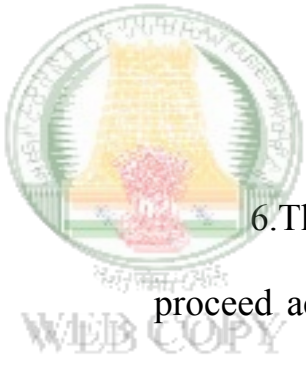
2.The learned Counsel appearing for the Petitioner already submitted his arguments on 03.11.2022, which was recorded by this Court. Based on the submission made by the learned Counsel appearing for the Petitioner, this Court had sought for remarks from the learned Assistant Sessions Judge, Thirumangalam, regarding the stage of the case in S.C.No.204 of 2021. As per the remarks offered by the learned Assistant Sessions Judge, Thirumangalam, in D.No.1231 of 2022, dated 08.11.2022, the case was adjourned repeatedly and it is posted to 21.12.2022, for framing of charges.

3.In the light of the above, the learned Assistant Sessions Judge, Thirumangalam, is directed to frame charges on 21.12.2022, after hearing the arguments of the learned Public Prosecutor and the learned Counsel appearing for the accused Nos.1 and 2.



4.After framing of charges, he shall fix a date for trial and issue trial proceedings.

5.By issuing trial proceedings, he shall fix the date, on which the first witness to last witness, upto the Investigation Officer, are to be examined. For example, on the first day of trial, independent witnesses are to be examined. First five or ten witnesses have to be examined and the Court has to fix the number of witnesses examined on the second day, on the third day etc,. Likewise, if the trial is fixed on Monday, it shall conclude by Friday, by examining the prosecution witnesses. The trial Judge shall adhere to the time table as fixed by him/her. He/she shall direct the learned Judicial Magistrate concerned to instruct such SHO of the Police Station concerned to produce the witnesses promptly. The trial may be fixed on the day, when the charges are framed, in such a manner, one month time is granted to the Investigation Officer or Station House Officer of the Police Station concerned, to secure the presence of the witnesses, so that on the next month, on the date of trial, without any delay, the witnesses should be produced by the SHO of the Police Station concerned. If this method is adopted, within the first fifteen days, the entire list of witnesses on the side of the prosecution can be completed.



6.The learned Assistant Sessions Judge, Thirumangalam, is directed to proceed accordingly and dispose of the case in S.C.No.204 of 2021, within a reasonable period of two months, from the date of framing of charges and report compliance to this Court.

7.With the above direction, this criminal original petition is disposed of.

17.11.2022

Index :Yes/No
Internet : Yes/No
lr

To

1. The Assistant Sessions Judge,
Thirumangalam.

2.The Inspector of Police,
Villoor Police Station,
Madurai District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SATHI KUMAR SUKUMARA KURUP, J.

lr

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